

REMARKS

Claims 23-34 are presented for reconsideration.

Applicants' attorneys wish to thank the Examiner for the courtesy of granting a telephone interview on February 11, 2004, during which the amendments to claims 23, 27 and 30 were discussed. No agreements were reached with regard to these proposed amendments.

In the **Final Rejection**, claims 23, 27 and 30 were objected to; claim 23 was rejected on the combination of Kossa et al in view of Pleuger et al and Breivik et al (hereafter referred to as "Combination A"); claim 24 was rejected on Combination A in further view of Salmi et al (hereafter referred to as "Combination B"); claim 25 was rejected under 35 USC 103 on Combination B in further view of O'Brien, Jr. (hereafter referred to as "Combination C"); claim 26 was rejected under 35 USC 103 on Combination C in further view of Nagafusa (hereafter referred to as "Combination D"); claim 27 was rejected under 35 USC 103 on Combination D in further view of McClure; claim 28 was rejected under 35 USC 103 as being unpatentable over Combination A in further view of O'Brien, Jr. (hereafter referred to as Combination E); claim 29 was rejected under 35 USC 103 on Combination E in further view of Nagafusa; claim 30 was rejected under 35 USC 103 as being unpatentable over Combination A in further view of McClure; claim 31 was rejected under 35 USC 103 as being unpatentable over Combination A in further view of Mantere; claim 32 was rejected under 35 USC 103 on Combination A in further view of Honour; claim 33 was rejected under 35 USC 103 on Combination A in further view of O'Brien, Jr.; and claim 34 was rejected under 35 USC 103 on Combination A in further view of O'Brien Jr. and Mantere.

By this amendment, claims 23, 27 and 30 have each been amended to overcome the objections of these claims set forth by the Examiner. In addition, claim 23 has been further amended to highlight the invention over the prior art and to provide structure which clearly supports the arguments provided on May 6, 2003 to distinguish the claims over the teachings of Nemec. As pointed out in that amendment, the ship has a planar or flat cargo deck, such as 11, which can be submerged so that a cargo can be floated over the side onto the deck, as illustrated in the pictures attached to that amendment. As shown in those pictures, the cargo can have a width which is greater than the width of the vessel.

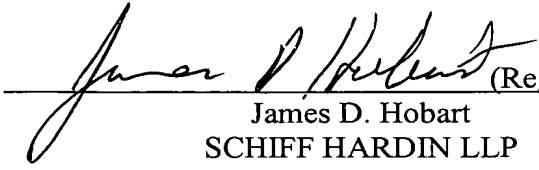
It is submitted that the base reference to Kossa et al, as well as the newly-cited patent to Wells and Cushing et al, like the previously-relied on Nemec, all have a well deck with sidewalls, so that the loading of material on the deck requires passing through a gate or hatch, such as the gate 100 of Kossa et al that is located in the stern. The width of the barge or cargo floated into this well deck is limited by the distance between the two sidewalls forming the well deck. Applicants' semi-submersible deadweight cargo vessel has a planar cargo deck free of obstructions extending from the starboard side to the port side and from adjacent the stern of the vessel to the forebody with a wheel house at the bow. This allows a roll-on, roll-off method of loading and also at a level below the surface of water, so the cargo can be floated on and floated off the cargo deck over the sides of the vessel. This feature is not taught by any of the references cited by the Examiner or any references of record. As pointed out during the interview, this feature is not taught by Kossa et al and, while the secondary references in each of the combinations may teach certain features, such as the location of the propellers for propelling the ship, or that the engine room with diesel electric main machinery is placed below the wheel house, they do not teach or suggest the major deficiency with the primary reference. For these reasons, it is respectfully submitted that claim 23 is unobvious in view of the art of record and allowable.

Each of the dependent claims, such as 24-34, are dependent upon claim 23 or a claim which is dependent on claim 23 and are allowable therewith. Since the subject matter of claim 23 is not obvious to a person of ordinary skill in the art, these dependent claims are also unobvious and allowable.

Since the application is under Final Rejection, it is respectfully submitted that this amendment does not raise any new issues, since the feature being specifically set forth in the claims was argued in the previous amendment. Therefore, it is submitted that the Examiner should have looked for the flat deck configuration that has no obstructions at the side. For these reasons it is respectfully submitted that the amendment does not raise any new issues and should be entered for purposes of placing the application in condition for formal allowance or in better form for an appeal, since it would reduce the issues on appeal.

In view of the amendments and explanations contained hereinabove, it is respectfully submitted that this application is now in condition for immediate formal allowance and further reconsideration to that end is earnestly solicited.

Respectfully submitted,




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Signature

February 13, 2004

Date